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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,381	07/09/2003	Takeshi Nishiuchi	000593B	1378

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KRATZ, QUINTOS & HANSON, LLP  
1420 K Street, N.W.  
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WASHINGTON, DC 20005

EXAMINER
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BUEKER, RICHARD R

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1763

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10615381	7/9/03	NISHIUCHI ET AL.	000593B

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20070812

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## Commissioner for Patents

The information disclosure statement filed August 2, 2007 fails to comply with 37 CFR 1.97(d) because it lacks a statement as specified in 37 CFR 1.97(e), which requires the statement to include the phrase "first cited in any communication from a foreign patent office". The statement submitted by applicants fails to include this phrase. Instead, the statement submitted by applicants contains the phrase "first cited in a communication from the European Patent Office" and therefore it is not a statement as specified in 37 CFR 1.97(e). See also MPEP 609.04(b), subsection V, for a discussion of why this specified language is required. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered.

Richard Bueker  
Primary Examiner  
Art Unit: 1763